



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/015,881 | 12/17/2001 | Yoshihisa Nagashima | Q67742 | 7280 |

7590 10/04/2005

SUGHRUE, MION, ZINN, MACPEAK & SEAS, PLLC
2100 Pennsylvania Avenue, N.W.
Washington, DC 20037-3213

EXAMINER

RIVERO, MINERVA

ART UNIT PAPER NUMBER

2655

DATE MAILED: 10/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|-------------------------------|--------------------------------------|--|
| Office Action Summary | Application No. 10/015,881 | Applicant(s) NAGASHIMA, YOSHIHISA | |
| | Examiner Minerva Rivero | Art Unit 2655 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 July 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-36 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-36 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date 2005 | 6) <input type="checkbox"/> Other: _____ |

Ch

DETAILED ACTION

Response to Arguments

1. In the Remarks filed 7/7/05, Applicant amended the Specification, and claims 1, 7, 13-25, 27, 29-31, and 35-36.
2. Applicant's arguments, see Remarks, filed 7/7/05, with respect to the rejection(s) of claim(s) 1-36 under 103 (a) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Martinez *et al.* (US 2002/0118800).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Art Unit: 2655

4. Claims 1, 3-7, 9-13, 15-19, 21-25, 27-31 and 33-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Martinez *et al.* (US 2002/0018800), in view of Marui *et al.* (US 4,961,212).

5. Regarding claims 1,3-4, 7, 9-10, 13, 16, 19, 21-22, 25, 27-28, 31, 33 and 34, Martinez *et al.* disclose a mobile communications terminal, method and machine-readable medium comprising:

a voice input means for receiving voice of a user designating a target of communication and thereby outputting a voice signal (*voice commands*, [0067]);

a voice recognition means for analyzing and recognizing the voice signal outputted by the voice input means and thereby obtaining voice data, comparing the obtained voice data with the voice patterns that have been registered in the voice pattern/telephone directory registration means, and thereby searching for and retrieving a voice pattern that matches or nearly matches the obtained voice data (*speech pattern database*, [0059]; [0060], Lines 6-8; [0114]);

a memory search processing means for calling up a telephone directory that has been registered in the voice pattern/telephone directory registration means corresponding to the voice pattern retrieved by the voice recognition means ([0002], Lines 3-6 and 10-16; Fig. 1a, element 120; Fig. 1b, element 185; Fig. 2, steps 225 and 280; [0068]);

the telephone directories include various types of data ([0068]) and

wherein the memory search processing means automatically designates the type of data to be called up from the various types of data of the telephone directory based on application activation status of the mobile communications device ([0062], [0067]).

However, Martinez *et al.* do not explicitly disclose but Marui *et al.* do disclose a voice pattern/telephone directory registration means in which telephone directories to be used for starting communication with a target of communication are registered and voice patterns corresponding to the telephone directories are registered (Col. 14, Lines 30-42; Fig. 13).

Therefore it would have been obvious to one ordinarily skilled in the art at the time of the invention to supplement the teachings of Irvin *et al.* with having a voice pattern/telephone directory registration means in which telephone directories to be used for starting communication with a target of communication are registered voice patterns corresponding to the telephone directories are registered, as taught by Marui *et al.*, in order to populate the directory of the user's mobile communications terminal, as is needed to employ the voice-dialing application.

Furthermore, the combined teachings of Irvin *et al.* and Marui *et al.* do not explicitly disclose a data type designation means for designating the type of data to be called up and a data type designation means for letting the user designate the type of data to be called up from the various types of data of the telephone directory.

However it is necessary for the completion of a call to have means for letting the user designate the type of data to be called up in a directory containing various types of data.

Therefore it would have been obvious to one ordinarily skilled in the art at the time of the invention to have a data type designation means for letting the user designate the type of data to be called up from the various types of data of the telephone directory, in order to disambiguate the caller's dialing request in the event of a directory entry having multiple listings each of a different data type.

6. Regarding claims 5, 11, 17, 23, 29 and 35, Martinez *et al.* further disclose a display means for displaying data of the telephone directory called up by the memory search processing means ([0067], [0112]).

7. Regarding claims 6, 12, 18, 24, 30 and 36, Martinez *et al.* disclose a communication starting means for automatically starting communication with the target designated by the user by use of data of the telephone directory called up by the memory search processing means (*user designates phone number to be dialed*, [0115]).

8. Claims 2, 8, 14, 20, 26 and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Martinez *et al.* (US 2002/0018800), in view of Marui *et al.* (US 4,961,212), and further in view of Lund (US Patent 5,978,806).

Regarding claims 2, 8, 14, 20, 26 and 32, Martinez *et al.* further disclose the telephone directory at least includes a telephone number, and a mail address ([0115]).

However, the combined teachings of Martinez *et al.* and Marui *et al.* do not explicitly disclose but Lund does disclose said telephone directory includes a URL (Uniform Resource Locator) (Col. 2, Line 59 – Col. 3, Line 6).

Therefore it would have been obvious to one ordinarily skilled in the art at the time of the invention to supplement the combined teachings of Martinez *et al.* and Marui *et al.* by having said telephone directory include a URL, since it is a valuable form of information communication available to the public.

Conclusion

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Minerva Rivero whose telephone number is (571) 272-7626. The examiner can normally be reached on Monday-Friday 9:00 am - 6:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wayne Young can be reached on (571) 272-7582. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2655

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MR 10/3/05

A handwritten signature in black ink, appearing to read 'W. R. Young', with a large, sweeping flourish extending upwards and to the right.

**W. R. YOUNG
PRIMARY EXAMINER**